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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

December 29, 2009

Rob Dubuc  
Western Resource Advocates  
150 South 600 East, Suite 2A  
Salt Lake City, Utah 84102

Subject: Clarification of Permitting Issues, Earth Energy Resources, PR Springs Mine,  
M/047/0090, Uintah County, Utah

Dear Mr. Dubuc:

The purpose of this letter is to provide clarification on certain issues related to approval of the PR Springs mine. The issues are whether the Division's approval is conditional on approval of air and water quality permits and whether the west pit is considered to be approved. The simple answer to both of these questions is "yes," but additional explanation is provided below.

#### Air and Water Quality

As stated in John Baza's December 22, 2009, letter, the Notice of Intention to Commence Large Mining Operations (NOI) is subject to the Earth Energy Resources full compliance with air and water permitting requirements for the operations prior to commencement of mining operations. It is not known at this time exactly what air and water quality permits will be required by the Division of Water Quality or the Environmental Protection Agency (EPA).

The plan has adequate information to comply with the impact analysis and mitigation plan requirements of rule R647-4-109, but the operator will need to comply with requirements of other agencies before mining may commence. Concerning air quality, the plan states on page 50 that "Earth Energy intends to comply with the conditions set forth by EPA; documentation is included in Appendix B." This appendix has a placeholder for air quality correspondence but contains no approvals or information indicating whether approvals will be required. The operator needs to supply this information.



Page 2  
Rob Dubuc  
M/047/0090  
December 29, 2009

West Pit

The west pit is included in the disturbed area boundary and is thus bonded for disturbance; however, as the plan says on pages 14 and 15, the designs for this pit are conceptual at this time. Earth Energy commits in the plan to submit an amendment prior to mining this area, and the reclamation surety would be adjusted in accordance with the details of the revised plan.

I hope this answers your questions, but please feel free to contact me at 801-538-5261 or by e mail at [paulbaker@utah.gov](mailto:paulbaker@utah.gov) if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'PBB', with a stylized flourish at the end.

Paul B. Baker  
Minerals Program Manager

PBB:vs

cc: Barclay Cuthbert, Earth Energy  
lmatthews@jbrenv.com  
Steve Alder

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